

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of J.S., S.S., and M.S., Minors.

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DONALD ROCKEY and MELISSA ROCKEY,

Petitioners-Appellees,

v

ANNE SCHULLO,

Respondent-Appellant,

and

JOSEPH SCHULLO,

Respondent-Not Participating.

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UNPUBLISHED

January 25, 2005

No. 256953

Kent Circuit Court

Family Division

LC No. 03-014100-NA

Before: Hoekstra, P.J., and Cavanagh and Borrello, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (b)(ii), (c)(i), (c)(ii), (d), (e), (f)(i), (f)(ii), (g), and (j). We affirm.

The trial court did not clearly err in determining that at least one of the statutory grounds for termination of parental rights was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). We find that subsections 19b(3)(d), (e), (g) and (j) were established by clear and convincing evidence.

Respondent-appellant placed her children under a guardianship with petitioners after failing to benefit from six months of services designed to assist her in providing a clean, fit home, addressing her marijuana use, and providing proper care for her children. Protective Services indicated that it would file a petition for temporary custody if a guardianship was not established. In the petition for guardianship, respondent-appellant admitted neglect. The limited guardianship placement plan required respondent-appellant to help pay for the children's food, submit the name of a doctor for the children, attend the children's medical appointments and parent-teacher conferences, maintain an appropriate and stable residence for six months, provide

proof of income, and visit the children. Respondent-appellant did not provide financial assistance and did not have a stable residence. Petitioners unilaterally terminated her visits with the children because the visits caused J.S. emotional distress and resulted in behavioral problems and stopped informing respondent-appellant of the children's appointments.

Respondent-appellant petitioned the court for visitation, and a court-structured reintegration plan was ordered, requiring respondent-appellant to pay \$45 a week child support, show proof of income, identify a responsible adult to care for the children while she worked, provide proof of a suitable residence for a minimum of six months, name a doctor or clinic where the children could be provided treatment, provide proof of the means to obtain medical insurance, attend all of the children's medical evaluations and conferences, and attend all parent-teacher conferences and activities. Supplemental orders were later entered requiring respondent-appellant to undergo psychological testing and comply with its recommendations, obtain a substance abuse assessment, provide a monthly drug screen at her own expense, complete parenting classes and obtain a GED or the equivalent.

Respondent-appellant paid a total of \$65 in support, despite showing proof of continual employment at various places, and failed to maintain stable housing until she purchased a home jointly with her boyfriend after the termination petition had been filed. Visits were reinstated, but she did not visit the children at every scheduled visit, and visits were eventually terminated because of the negative impact on J.S. Respondent-appellant did not outline a day care plan or medical insurance plan for the children. She did not attend parenting classes, obtain a psychological evaluation, obtain a substance abuse assessment or submit drug screens because the expense was beyond her means. However, she obtained a partial psychological evaluation and had submitted to one prior to the guardianship. Petitioners did not inform her of the children's appointments or activities.

The evidence showed that respondent-appellant had not become able to appropriately parent the children. She did not comply with the aspects of the limited guardianship placement plan or the court-structured plan with which she was financially able to comply. She did not contribute to the children's support, did not secure stable housing until after the termination petition was filed, did not visit the children at every opportunity, and did not pursue her GED. She did not plan for the children's return. There was no evidence that respondent-appellant was able to provide proper care for the children, and no evidence that she was no longer using drugs. There still existed the likelihood that the children would suffer neglect in her care.

Respondent-appellant also states as an issue, without supporting argument in her appellate brief, that the trial court did not state sufficient findings of fact and conclusions of law on the record. Brief, definite, and pertinent findings and conclusions on contested matters are required. MCR 3.977(H). A trial court's findings are sufficient if it appears that the trial court was aware of the issues in the case and correctly applied the law. *People v Armstrong*, 175 Mich App 181, 185-186; 437 NW2d 343 (1989); *DeVoe v C A Hull, Inc*, 169 Mich App 569, 576; 426 NW2d 709 (1988).

In this case, the trial court reviewed all videotapes of the adjudication trial, reiterated the facts in detail, and made brief findings and application to each of the ten statutory subsections alleged as grounds for termination. It was clear that the trial court was well aware of the issues and applied the correct standards in terminating respondent-appellant's parental rights.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Mark J. Cavanagh

/s/ Stephen L. Borrello